UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,828	02/18/2004	Nabil M. Issa	706514US2	3777

24938 7590 05/19/2006

DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION
CIMS 483-02-19
800 CHRYSLER DR EAST
AUBURN HILLS, MI 48326-2757

EXAMINER	
WEISKOPF, MARIE	

ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 05/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/780,828	ISSA ET AL.	
	Examiner	Art Unit	
	Marie A. Weiskopf	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,14 and 15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,14 and 15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pages 6-7, filed 2/28/06, with respect to the rejection(s) of claim(s) 1 and 14 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art in regard to the amendments.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 7 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al (US 2004/0044454) and Kominami et al (US 6,785,595). Ross et al is discussed in the previous office action and discloses a method and system for implementing vehicle personalization. Kominami et al discloses an electronic control system for vehicle accessory devices.

- In regard to claim 1, Ross et al discloses a programmable vehicle accessory service for a vehicle having a receiver module and a local controller each coupled to a data bus, the programmable vehicle accessory service comprising:
    - An application that receives configuration data from a user (Page 2, paragraph 24)

- A controller remotely located from the vehicle that receives the configuration data from the application and generates vehicle accessory parameters based on the configuration data and transmits the vehicle accessory parameters to the receiver module (Page 2, paragraph 26)
- The receiver module operative to receive the vehicle accessory parameters from the controller and adjusts vehicle accessories according to the vehicle accessory parameters. (Page 2, paragraph 20)

Ross et al fails to specifically disclose converting the received parameter data to a format suitable for the data bus and to send the converted parameter data via the data bus to the local controller for adjusting the vehicle accessories. Kominami et al, however, discloses converting the received parameter data to a format suitable for the data bus and sending the converted parameter data via the data bus to the local controller for adjusting the vehicle accessories. (Column 4, lines 50-55; Column 3, line 63 – Column 4, line 4) It would have been obvious to one having ordinary skill in the art at the time of the invention to convert the received data into a suitable format in order to be able to then control the vehicle accessories which is taught by Kominami et al. If the data is in the wrong format it would be useless because it would not be possible to then control the vehicle accessories.

- In regard to claim 2, Ross et al discloses the application is located on at least one of an internet site, a laptop, a mobile phone and a personal data assistant. Ross et al discusses the application being available on an internet site (Page 2,

paragraph 24.) it is inherent then that the application can be reached by a laptop, mobile phone and PDA if each has access to the internet.

- In regard to claim 3, Ross et al discloses the configuration data defines preferences of the user (Page 2, paragraph 24)
- In regard to claim 7, Ross et al discloses a user device that wirelessly receives the vehicle accessory parameters from the control and uploads the vehicle accessory parameters to the receiver module. (Pages 1-2, paragraph 18; Page 2, paragraph 26)
- In regard to claim 14, a method for customizing vehicle accessory features in a vehicle having a receiver module and a local controller each coupled a data bus, the method comprising:
    - Receiving configuration data from a user at an application (Page 2, paragraph 24)
    - Transmitting the configuration data to a controller that is remotely located from the vehicle. (Page 2, paragraph 26)
    - Generating vehicle accessory parameters according to the configuration data at the controller (Page 2, paragraph 26)
    - Transmitting the vehicle accessory parameters to the receiver module (Page 2, paragraph 20)
    - Adjusting the vehicle accessories according to the vehicle accessory parameters received by the local controller. (Page 2, paragraph 20)

Ross et al fails to specifically disclose converting the received parameter data to a format suitable for the data bus and to send the converted parameter data via the data bus to the local controller for adjusting the vehicle accessories. Kominami et al, however, discloses converting the received parameter data to a format suitable for the data bus and sending the converted parameter data via the data bus to the local controller for adjusting the vehicle accessories. (Column 4, lines 50-55; Column 3, line 63 – Column 4, line 4) It would have been obvious to one having ordinary skill in the art at the time of the invention to convert the received data into a suitable format in order to be able to then control the vehicle accessories which is taught by Kominami et al. If the data is in the wrong format it would be useless because it would not be possible to then control the vehicle accessories.

- In regard to claim 15, Ross et al discloses transmitting the vehicle accessory parameters to a user device and uploading the vehicle accessory parameters from the user device to the receiver module. (Pages 1-2, paragraph 18; Page 2, paragraph 26)

4. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross et al (US 2004/0044454) and Kominami et al (US 6,785,595) in view of Stouffer (US 2004/0130439.) Ross et al and Kominami et al, whose invention was discussed above, fails to mention the configuration data for the vehicle being audio data, which the controller then compresses and the module adjusts a turn signal sound according to the data. Stouffer discloses an enhanced audio feedback for vehicle security systems. A

user is able to upload different compositions into the memory and the different compositions can be played over a sound system corresponding to different security system events. (Page 1, Paragraph 29) The compositions can be any aural sound, which Stouffer gives examples as songs from popular culture, bird call, Westminster Chime, etc. (Page 2, Paragraph 39) In Stouffer's invention, the compositions are uploaded to the memory by coupling the sound module with any external processor where it is inherent that the data would then be compressed (Page 2, paragraph 38), however, it would have been obvious to one having ordinary skill in the art at the time of the invention to use the method and system disclosed by Ross et al to allow the music to be uploaded at a personal computer and then transmitted wirelessly to the telematics unit in the vehicle and then use that data to change the user preferences of the vehicle, such as the turn signal sounds in order to provide the user with their own personal preferences in the vehicle, as mentioned by Ross et al. This would allow the user to easily change their own preferences of the vehicle depending on which vehicle they were in.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

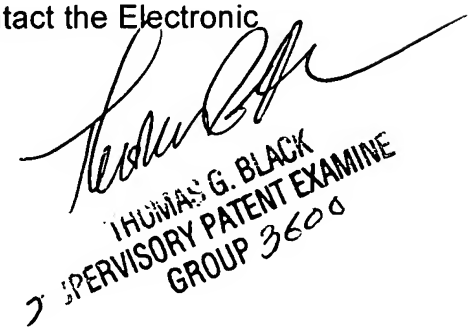
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie A. Weiskopf whose telephone number is (571) 272-6288. The examiner can normally be reached on Monday-Thursday between 7:00 AM and 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



***